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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 ALL BUILDING AND PROPERTY  
9 SERVICES, INC., a Nevada corporation,

10 Plaintiff,

11 v.

12 ROBERT E. POOLE, TRUSTEE  
13 DOROTHY D. POOLE TRUST;  
14 DOROTHY D. POOLE, TRUSTEE  
15 DOROTHY D. POOLE TRUST;  
16 DOROTHY D. POOLE TRUST;  
17 VISTA POINTE HOMEOWNERS  
18 ASSOCIATION, a Nevada Non Profit  
19 Cooperative Corporation;  
20 LEACH KERN GRUCHOW ANDERSON  
21 SONG, LTD., a Nevada Limited Liability  
22 Company,  
23 SECRETARY OF HOUSING AND  
24 URBAN DEVELOPMENT;  
25 DOES 1 through 10, inclusive;

26 Defendants.

Case No. : . 3:21-cv-00400-LRH-CSD

**ORDER RE STAY OF CASE  
BETWEEN DEFENDANT  
SECRETARY OF HOUSING AND  
URBAN DEVELOPMENT AND  
PLAINTIFF ALL BUILDING AND  
PROPERTY SERVICES, INC.**

27 Come now Plaintiff ALL BUILDING AND PROPERTY SERVICES, INC., by and  
28 through its attorney, Kerry P. Faughnan, Esq., and the SECRETARY OF HOUSING AND  
29 URBAN DEVELOPMENT (“HUD”), by and through its attorney Holly A. Vance, Esq., who  
30 provide this status report concerning the stay in place between the Secretary of Housing and  
31 Urban Development (HUD) and Plaintiff, ECF #22.

32 HUD had requested an appraisal of the property. The appraisal was completed and HUD  
33 shared a copy of the appraisal with Plaintiff August 11, 2022. The parties have now tendered new  
34 settlement offers to each other.

The parties request the stay be continued 30 days, and if no settlement is reached, the stay be lifted Friday, September 16, 2022, with Plaintiff's response to the Motion to Dismiss, ECF#6, due by Monday, September 19, 2022. Further pleadings shall be due in the ordinary course and the court thereafter may consider same. In the event the Motion to Dismiss is subsequently heard and denied by the court, the parties thereafter propose submitting a Scheduling Order within 14 days of a ruling on the Motion to Dismiss.

No other matters are pending.

Dated August 16, 2022.

/s/ Kerry P. Faughnan

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/s/ Holly A. Vance

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Attorney for Defendant Secretary of Housing  
and Urban Development

### **ORDER**

**IT IS HEREBY ORDERED** that the stay is continued 30 days from entry of this order and if no settlement is reached, the stay shall be lifted Friday, September 16, 2022.

**IT IS FURTHER ORDERED** if no settlement is reached and the stay is lifted on Friday, September 16, 2022, Plaintiff's shall file a response to the Motion to Dismiss, ECF No. 6 on or before Monday, September 19, 2022. Further pleadings shall be due in the ordinary course and the court thereafter may consider same.

**IT IS SO ORDERED.**

DATED August 17, 2022.



LARRY R. HICKS  
United States District Judge